

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for the courtesies extended during the Examiner Interview conducted on October 15, 2008 and for carefully considering this application.

Examiner Interview

An Examiner Interview was conducted on October 15, 2008. Applicants have reviewed the interview summary mailed on September 23, 2008 and agree with its comments. No agreement was reached during the Examiner Interview.

Disposition of Claims

Claims 1-30 were pending in this application. Claims 2, 12, and 22 are cancelled by way of this reply. Further, claims 31-33 are newly added by way of this reply. Of the currently pending claims, claims 1, 11, and 21 are independent. The remaining claims depend from claims 1, 11, and/or 21.

Amendments to the Claims

Claims 1, 3-9, 11, 13-19, 21, 23-29 are amended by way of this reply. Specifically, claims 1, 6, 11, 16, 21, and 26 are amended to clarify the invention. Further, claims 3-9, 13-19, and 23-29 are amended for consistency with the amendments to claims 1, 11, and 21 and to correct grammatical errors. No new subject matter is added by way of these amendments as support may

be found, for example, on p. 19, ll. 11-19, p. 22, ll. 13- p. 23, ll. 5, p. 30, ll. 18- p. 31, ll. 1 of the Instant Specification.

Rejections Under 35 U.S.C. § 102

Claims 1-5, 10-15, 20-25, and 30 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent Pub. No. 2003/084165 (“Kjellberg”). To the extent that this rejection applies to the amended claims, this rejection is respectfully traversed.

The invention, as recited in the claims, is directed towards a portal server using application helper modules to display content from an application. See, e.g., p. 16, ll. 11-14, p. 19, ll. 4-19, p. 22, ll. 13- p. 23, ll. 5, and on p. 28, ll. 8 - p. 30, ll. 3 of the Specification. Specifically, the portal server allows for multiple devices of different device types to use an application. The different device types have heterogeneous display capabilities. For example one device type may be a mobile device with a small screen while another device type is a laptop computer with a large screen. Each application has multiple implementations of the application. Each implementation has a corresponding device type. Namely, the implementation has a user interface that is formatted for display particular to the display capabilities of it’s corresponding device type.

Accordingly, when a device accesses the portal server, the device type of the device accessing the portal server is identified. Id. From the device type, the application helper module is identified based on the device type. Id. Specifically, each application helper module is associated with a different implementation of the application. Id. Therefore, the application helper module that is identified is associated with the particular implementation of the application that has a user interface formatted for display for the device type of the device requesting content from the

application. *Id.* The identified application helper module provides a link to the particular implementation of the application to the portal server. *Id.* The link is used by the portal server to display content from the application on the device. *Id.*

Turning to the rejection, in order to establish anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. *See* MPEP § 2131. Applicants assert that Kjellberg fails to at least disclose having multiple implementations of an application, in which each implementation has a corresponding device type and has a user interface that is formatted for display on the corresponding device type.

Kjellberg is directed towards installing an application on a device in which the device may be one of multiple different device types. In order to do so, Kjellberg discloses having a single implementation of an application. *See, e.g.,* Kjellberg, paragraph [0030]. The single implementation of application is reformatted by a single deployment manager into a data format suitable for the device type of the client device. *Id.* Because Kjellberg discloses having only a *single* deployment manager that is configured to reformat a *single* implementation of an application into only a data format, Kjellberg fails to teach or suggest having multiple implementations of an application, in which each implementation has a corresponding device type and has a user interface that is formatted for display particular to the display capabilities of the corresponding device type as required by the amended claims.

As shown above, Kjellberg fails to teach or suggest all of the limitations of claims 1, 11, and 21. Dependent claims 2-5, 10, 12-15, 20, 22-25, and 30 are allowable for at least the same reasons. Withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103*Claims 7-9, 17-19, and 27-29*

Claims 7-9, 17-19, and 27-29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kjellberg in view of U.S. Patent Pub. No. 2003/0120784 (“Johnson”). To the extent that the rejection applies to the amended claims, this rejection is respectfully traversed.

MPEP § 2143 states that “[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR* noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit.” In the Office Action mailed August 1, 2008, the Examiner, in articulating the analysis used to reject the claims under 35 U.S.C. § 103, has described the various claimed elements taught and not taught by Kjellberg. *See* Office Action mailed August 1, 2008, p. 5. Further, the Examiner has described the various claimed elements taught by Johnson, which are not taught by Kjellberg. *Id.* Using the above rationale, the Examiner “must articulate the following: (1) a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference; ...” MPEP § 2143(A).

As discussed above, Kjellberg fails to teach or suggest all of the limitations of amended independent claims 1, 11, and 21, from which claims 7-9, 17-19, and 27-29 depend. Further, Johnson fails to teach that which Kjellberg lacks as evidenced by the fact that Johnson is only relied on to teach an electronic mail application and electronic calendar application. *See, e.g.*, Office Action dated August 1, 2008, p. 6-7.

In view of the above, independent claim 1 is patentable over Kjellberg and Johnson because neither Kjellberg nor Johnson teach or suggest all the limitations of independent claim 1. Independent claims 11 and 21 are patentable over Kjellberg and Johnson for at least the same reasons as independent claim 1. Further, dependent claims are patentable over Kjellberg and Johnson for at least the same reasons as the aforementioned independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 6, 16, and 26

Claims 6, 16, and 26 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kjellberg in view of U.S. Patent Pub. No. 2003/0022657 (“Herschberg”). To the extent that the rejection applies to the amended claims, this rejection is respectfully traversed.

Kjellberg and Herschberg fail to teach or suggest all of the limitations of amended independent claims 1, 11, and 21, from which claims 6, 16, and 26 depend.

As discussed above, Kjellberg fails to teach or suggest all of the limitations of amended independent claims 1, 11, and 21, from which claims 6, 16, and 26 depend. Further, Herschberg fails to teach that which Kjellberg lacks as evidenced by the fact that Herschberg is only relied on to teach that the link provided by the application helper module is null if the particular application helper module restricts preference modification of the particular application. *See, e.g.*, Office Action dated August 1, 2008, p. 7-8.

Kjellberg and Herschberg fail to teach or suggest that the link provided by the application helper module is null if the particular application helper module restricts preference modification of the particular application based on the device type.

Claims 6, 16, and 26 as amended require that the link provided by the application helper module is null if the particular application helper module restricts preference modification of the particular application based on the device type. For example, if a user is trying to perform preference modification with a cell phone, the user may be denied access even though the user can perform preference modification with a desktop computer. Kjellberg and Herschberg fail to disclose that the link provided by the application helper module is null if the particular application helper module restricts preference modification of the particular application based on the device type.

Specifically, as admitted by the Examiner in the Office Action dated August 1, 2008, Kjellberg fails to disclose the link provided by the application helper module is null if the particular application helper module restricts preference modification of the particular application. Thus, Kjellberg cannot be used to teach or suggest that the link provided by the application helper module is null if the particular application helper module restricts preference modification of the particular application based on the device type of the device.

Further, Herschberg fails to teach or suggest that which Kjellberg lacks. Specifically, Herschberg only teaches disabling access based on the user rather than the device type as required by amended claims 6, 16, and 26. See Herschberg, paragraph [0030].

Kjellberg and Herschberg fail to teach or suggest all of the limitations of claims 6, 16, and 26.

In view of the above, Kjellberg and Herschberg, whether considered separately or in combination, fail to teach or suggest all of the limitations of claims 6, 16, and 26. Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

Dependent claims 31-33 are newly added by way of this reply. No new matter is added by way of the new claims as support for the new claims may be found, for example, on p. 24, ll. 4-11.

Applicants assert that the newly added dependent claims are patentable for at least the same reasons stated above with respect to the amended independent claims. Thus, favorable consideration of the newly added dependent claims is respectfully requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/509001; SUN030082).

Dated: October 30, 2008

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